



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/769,004

01/24/2001

David Smith

S1022/8602

3814

7590

11/27/2006

James H. Morris
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210

EXAMINER

TO, BAOQUOC N

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,004

Applicant(s)

SMITH, DAVID1

Examiner

Baoquoc N To

Art Unit

2172

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-17-18 are amended, claims 19-38 are newly added in the amendment filed on 04/12/04. Claims 1-38 are pending in this application.

Response to Arguments

2. Applicant's arguments filed 04/12/04 have been fully considered but they are not persuasive.

The applicant also argues "Reber fails to teach or suggest at least using said selected file locator for identifying a first dependent file and identifying one or more other files on which first file is dependent."

The examiner disagrees with the above argument. Reber suggests "at any time after the system is initialized the MFM has an internal abbreviation (i.e., a log or set of records) of all the media that is known to be accessible to it, and where and how that material may be retrieved. The internal abbreviation is contained in the media database built by the MFM. When a client of the MFM requests information or access to actual media, MFM uses its internal abbreviation of the media available to determine a media source that will serve as a satisfactory response to the client request." The log or a set of records based on these abbreviation the media files are being retrieved which corresponding to claim limitation wherein the dependent files are the retrieved file and the log or set of records are file identifier which the dependent files depended on.

Claims 2-9 are rejected the same reason as claim 1.

The applicant also argues "Reber fails to disclose or suggest at least a plurality of file locators each associated with a respective data stored in said database and arranged to identify a first data dependent file in said associated data store and one or more other file in said database on which said first dependent."

The examiner respectfully disagrees with the above argument. The discussion have been addressed above wherein the file locators are the a log or set of records which allow the retrieval of all media which the media belonged to.

Please see discussion for claim 17-18.

All other dependent claims are rejected under the same reason.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-4, 6, 8, 10-12, 14 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (6,061,758).

Regarding on claims 1 and 10, Reber teaches a method of operating a computer system to validate the data stored in a plurality of data files in a database each of said data files having an associated file type and being arranged in a plurality of data stored

Art Unit: 2172

in said database, wherein at least one of said data files is a data dependent file containing data dependent data in one or more other files of said data store, said method comprising the step of:

Selecting a file locator which is associated with a respective one data store in said data store in said data base (col. 5, lines 44-47);

Using said selected file locator (a source identifier or "id") identifying a first dependent file and identifying locator identifying a first dependent file and identifying one or more other files (linked list) on which said first file is dependent (col. 5, lines 52-56);

For each identified file, selecting a first file reader associated with the file type (type of media or audio) of the identified file (col. 5, lines 48-49);

using each said selected first file reader, determining a predetermined parameter of said identified file (col. 6, lines 28-32);

Comparing the predetermined parameter from the first file with that from the or each other file (col. 5, lines 20-35); and

Responsive to said comparison step, providing an output signal for each data file indicating whether the data file is valid (col. 5, lines 35-42).

Reber does not explicitly teach the dependent file. However, Reber teaches, "this specific source request is unique and the system works on the concept that identifiers exist that separately identify any source medium" (col. 4, lines 42-45). In addition, Reber also teaches, "this identifier represents the dynamic link or binding of a client's need for media and the actual source of media to be used" (col. 4, lines 57-60).

Art Unit: 2172

This teaches dependent file is the data depended on the identifier. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify media data that depending on the identifier as taught in Reber in order to allow the user to search for the depend data based on the identification.

Regarding on claims 3, 20 and 28, Reber teaches for each data storage generating a list therein containing an entry for each first dependent file in the data store, said entry including a first record having details of the first dependent file (col. 5, lines 53-56).

Regarding on claims 4, 21 and 29, Reber teaches each entry in said list further includes a further record for each other identified file upon which the dependent file depends (col. 5, lines 53-56).

Regarding on claims 6, 23, 14 and 31, Reber teaches the predetermined parameter comprises the date on which the data file was last modified (col. 5, lines 28-32).

Regarding on claims 8, 25 and 33, Reber teach identifying every said first dependent file in said data storage (col. 5, lines 25-30).

Regarding on claim 11, Reber teaches in each data store, at least one file which can be located and which contains dependency information which enables dependent files and said other files (file list) in the data stored to be identified (col. 5, lines 52-54); and

Art Unit: 2172

Means provided to locate said located file (col. 5, lines 56-57).

Regarding on claim 12, Reber teaches a file reader associated with the located file which is adapted to provide a list in the data store (file list) (col. 5, lines 52-54), said list having an entry for each dependent file having details contained in the located file and including a record in said entry for said dependent file together with a further record for each other file upon which the dependent file depends (col. 5, lines 56-63).

Regarding on claims 35-38, Reber teaches each of the plurality of data stores is of a different type and wherein the step of selecting a file locator further comprises: selecting a different file locator for each store of a different type (col. 4, lines 65-67).

Claim 17 is rejected same reason as to claim 1, in addition Reber also teaches, computer program code means, when said program is loaded to make the computer perform a method to validate data stored in a plurality of data files in a database each of said data files having an associated file type and being arranged in a plurality of data stores in said database, wherein at least one of said data files is a data dependent file containing data dependent on data one or more other files of said data store (col. 4, lines 46-55).

Claim 18 is rejected same reason as to claims 1 and 17.

Art Unit: 2172

4. Claims 7, 15, 24 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (6,061,758) in view of Goss et al. (US. Patent No. 4,667,290).

Regarding on claims 7, 15, 24 and 32, Reber discloses the claimed subject matter except the claimed predetermined parameter is a UNIX time data stamp. However, Goss teaches, "field 3 and 4 each contain 4-byte long integers which are time stamp in UNIX system format. The first time stamp is the file creation data, the second is the date of last modification" (col. 12, lines 39-42). This teaches the time stamp is the UNIX time stamp. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Reber to include time stamp of Goss in order allow the file in the UNIX file system to be validated before processing it.

5. Claims 9, 26 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (6,061,758) and in view of Nelson et al. (US. Patent No. 5,778,390).

Regarding on claims 9, 26 and 34, Reber discloses the claimed subject matter, as discussed above, except the claimed data store is a data base library. However, Nelson teaches, "file management system 20 is operable to manage the database files 19 and 23 in the test environments 22 and 24. More specifically, file management system 20 may act as a library, allowing database files to be checked out, edited and checked in" (col. 4, lines 1-5). This teaches the database is the storage area to store and allow to check in and out. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the system of Reber to

Art Unit: 2172

include the data stored in the library as taught by Nelson in order to allow the file to be check out, edit and check in after requested for processing.

6. Claims 2, 5, 13, 19, 22, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (US. Patent No. 6,061,758) in view of Larson et al. (US. Patent No. 6,369,709).

Regarding on claims 5, 13, 22 and 30, Reber discloses the claimed subject matter, as discussed above, except the claimed selecting the file locator from a file locator means which contains a plurality of file locators except for selecting a file reader from file reader means which contain a plurality of file readers. However, Larson teaches, "the microprocessor 60 determines whether the library patron identified by the bar code on the library card read by the reader 18 has previously been determined to be block patron" (col. 11, lines 42-45). This teaches the reader 18 is selected to be the reader. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify system of Reber to include reader to read the barcode as taught by Larson in order to allow the system to validate if the file is valid for processing.

Regarding on claims 2, 19 and 27, Reber teaches locating, via said file locator, files which contain dependency information; for each located file, selecting a second file reader associated with the file type of the located file. However, Reber does not explicitly second file reader identifying said first dependent file and each other file on

Art Unit: 2172

which the first file depends. On the other hand, Larson teaches, "the microprocessor 60 determines whether the library patron identified by the bar code on the library card read by the reader 18 has previously been determined to be block patron" (col. 11, lines 42-45). This teaches there is more than one reader 18 in the library to read the library card. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the system of Reber to include more than one reader 18 in order to allow the system to read other data type in order to provide the validation for the file to be processed.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231.

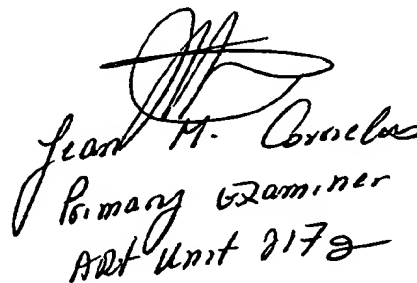
The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To
June 23, 2004


Jean M. Corcoran
Primary Examiner
Art Unit 2172